



FILED

7-11-16
04:59 PM

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Gulsen Maloney,

Complainant,

vs.

Pacific Bell Telephone Company, dba AT&T
California (U 1001 C),

Defendant

(ECP)

Case 16-01-005

Filed: January 19, 2016

**APPLICATION FOR REHEARING OF
DECISION 16-06-017 BY GULSEN MALONEY**

July 11, 2016

Gulsen Maloney
22333 Cupertino Road
Cupertino, CA 95014
Tel: (408) 252-5858

Email: gulsenmaloney@hotmail.com

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Gulsen Maloney,

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**APPLICATION FOR REHEARING OF
DECISION 16-06-017 BY GULSEN MALONEY**

I. Introduction

With the corrections and added clarifications and evidence, I respectfully apply for Rehearing of Decision 16-06-017, which was issued June 9, 2016. Please find the referenced attachments at the end this application.

II. Grounds for Rehearing

I have not subscribed to U-Verse or VoIP to obtain a better DSL internet service as stated in the Decision 16-06-017 Page 1, Paragraph 1. Rather, I called AT&T in early February 2015, to renegotiate and continue my DSL service that I had for many years at same deal of \$14.95 per month. The Attachments A through D for the years 2011 through 2014 respectively show the AT&T's Monthly Statements that deal with the same pricing. The actual DSL service goes beyond 2011. Those statements also indicate that I had no long distance service or the special local toll calling plan. I had my same land-line from Pacific Bell and later from AT&T for 40 years, since June of 1976.

Because of the price hike (due to end-of-the annual deal) of DSL while traveling overseas at the end of 2014, I had to call and renegotiate the same deal.

Even though it was advertised publicly, AT&T said that the DSL for \$14.95 was not for my area; only option for my area was U-Verse with the same price according to AT&T personnel. I had to accept it with the condition that my land-line stays untouched. It was touched without my knowledge as well as without the knowledge of their own personnel; my telephone with the answering machine did not even work at all for several days. Since I do not even have a cell phone, I was left in a very vulnerable position and I asked them to cancel U-verse and restore my land-line back the way it was. Later found out that, they assigned a different number without my consent or knowledge.

Apparently AT&T had a DSL for my area when I talked them in early February; I did not even need to have U-Verse contrary to what I was told. In fact, I had DSL internet service after the U-verse cancellation provided by AT&T until just recently at the same price that I had for many years.

After February 20, 2015, the U-verse was cancelled; however, my land-line was not working the way it was for 40 years. I could not even make a direct call to my Medicare health insurance company, UPS, and others within my area code that I was able to for many years with no added special plan or service. See email (Attachment E) dated 4/11/2015 from Emeric (AT&T Manager) stating that "...I'm adding local toll back on your account to make calls to your doctor...". Then later on 5/12/2015, Emeric (same Manager) says "...Unfortunately they weren't able to add back the grandfather local toll calling plan that you had previously..." as seen in the email Attachment F. In the same email, he also says "...I've double checked with our back office group and they advised that we have to go with the

current options. If AT&T is your long distance company the minimum plan we have cost \$1 a month and your billed at \$.18 a minute. This was the exact plan that was recently removed from your account when you spoke with the agent on 05/08/15...”. Yes, on 05/08/2015, I have talked to Zane and then Alexie to cancel the Long Distance Service that was installed without my permission and get the credit for the long distance mischarges and the service fees. These long distance charges and monthly fees kept showing up in my bills after the U-verse cancelation and even after the first cancellation of the service for a few months. Attachment G for May 2015 shows the Long Distance service that had not been authorized and the charges for my Medicare office within my area code and for an urgent call to AT&T technician “Sammy” who forgot to put DSL filter on my telephone the day before leaving telephone in not-working condition.

On the Page 2 (last paragraph) of the Decision 16-06-017, “...Evidence provided by both Complainant and AT&T show that prior to ordering U-verse, Complainant subscribed to Flat Rate Service and that AT&T was the designated local toll carrier...” is not correct. I have never subscribed AT&T for local toll calling; not even AT&T has a record of it. I have the same land-line telephone from Pacific Bell since June of 1976 (40 years) in the same neighborhood; at least, in this current house for 21 years, I watch my bills very carefully and I have never changed the policies and never subscribed the Local Toll Calling either. When the Pacific Bell started doing business under the AT&T name, I made only one single change; cancelled the long distance service with AT&T and used and still using the long distance service since 2003 that requires dialing of the service provider’s (account) numbers first, then following procedures, and entering series of other numbers before the actual intended number. I had this service past several years; it is for long distance call only and nothing to do with the local toll callings. In fact, I

had a detailed record of all the long distance/international callings made since 2003 for review if needed.

With this same land-line for many years, my essential life-line telephone numbers (Medicare and others) were always direct without additional fee and never needing burdensome procedure and definitely not practical in an emergency when the time is crucial. I have always dialed the numbers with the same area code that I have directly and never paid additional fee.

Page 4, "...Complainant currently uses a free local toll calling service..." is not correct. The service that I have since 2003 from "dial-in companies" is for long distance and international callings as I described above and nothing to do with local toll calling. I have all the records.

Also in Page 4, "...The local toll calling plan that Complainant subscribed to prior to U-verse is available from AT&T, but Complainant must affirmatively select that plan..." is not correct. I never had a subscription with AT&T on local toll calling as even Robert (last name and direct phone number were not provided; from AT&T Office of the President) could not provide such record or any record as confirmed during the telephone conversation on July 15, 2015 around 12:30PM. Additionally, with the options that AT&T is offering (see Attachment H), I have to pay for the local toll callings that were free to me and no need for their long distance plan. The issue is not that I have to select the carrier of local toll calling; the issue is, AT&T will charge me if I select them as the carrier.

III. Conclusion

I feel that AT&T misrepresented the internet options available for my area in early February to sell U-verse. Then, they violated the agreed U-verse with a condition

that my landline stays “untouched”. Furthermore, without my authorization, they installed long distance service “right after the cancellation of U-verse” on February 20, 2015 to cover the local toll calling.

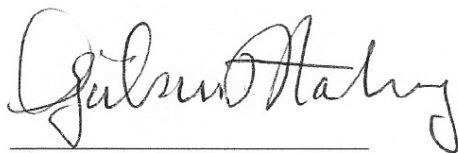
I feel that AT&T took away the Local Toll Calling feature on my land-line that was supposed to stay “untouched” as they agreed to begin with and then wanted to sell it back to me with a price.

I do have detailed notes for each AT&T interaction with names and dates from the beginning with all possible medium that I have tried such as telephone conversations, emails, chat-lines, store visits, and several technician visits to my home, if needed.

I respectfully request the reconsideration of the facts and the evidence provided to honor a rehearing for my case. I also request an opportunity to make oral arguments.

Dated: July 11, 2016

Respectfully submitted,

A handwritten signature in cursive script, reading "Gulsen Maloney", written in dark ink. The signature is fluid and stylized, with a horizontal line underneath it.

Gulsen Maloney
22333 Cupertino Road
Cupertino, CA 95014
Tel: (408) 252-5858
Email: gulsenmaloney@hotmail.com



GULSEN A MALONEY
22333 CUPERTINO RD
CUPERTINO CA 95014 - 1073

ATTACHMENT A

Page 1 of 3
Account Number 408-252-5858-912 8
Billing Date Dec 16, 2011
Web Site att.com

2011

Monthly Statement

Bill-At-A-Glance

Previous Bill	.02CR
Payment	.00
Adjustments	.00
Balance	.02CR
Current Charges	40.96

Total Amount Due \$40.94

Amount Due in Full by Jan 16, 2012

Billing Summary

Billing Questions? Visit att.com/billing

Plans and Services

1 800 288-2020

AT&T Internet Services

1 877 722-3755

Total Current Charges

26.01

14.95

40.96

✓
1/10/2012

AT&T Benefits

- Start saving now for the new year. Bring home AT&T U-verse TV with DVR, Internet and home phone for one of our lowest bundle prices ever and save the whole year through. Hurry! Call 1.866.917.0698 or go online at att.com/uverseisbest. Geographic and service restrictions apply.

Plans and Services

Monthly Service - Dec 16 thru Jan 15

1. Residence Flat Rate Serv Line Sharing Basis	19.95
2. Caller ID Selective Blocking	.00
3. 900/976 Blocking	.00
Total Monthly Service	19.95

Surcharges and Other Fees

4. Federal Subscriber Line Charge	4.40
5. Rate Surcharge	.26CR
6. State Regulatory Fee	.04
7. Federal Universal Service Fee	.67
Total Surcharges and Other Fees	4.85

Government Fees and Taxes

8. CA High Cost Fund-B and CA Advanced Svc Fund	.09
9. California Teleconnect Fund Surcharge	.02
10. Universal Lifeline Telephone Service Surcharge	.23
11. CA Relay Service and Communications Devices Fund	.04
12. 9-1-1 Emergency System	.10
13. Federal	.73
Total Government Fees and Taxes	1.21

Total Plans and Services 26.01

News You Can Use Summary

- PREVENT DISCONNECT
- ELECTRONIC PAYMENTS
- MOVING SOON?
- USAGE RATE INCREASE
- CARRIER INFORMATION
- PAYMENT OPTIONS
- PRICE INCREASE

See "News You Can Use" for additional information



GULSEN A MALONEY
22333 CUPERTINO RD
CUPERTINO CA 95014 - 1079

ATTACHMENT B

Page 1 of 3
Account Number 408 252 5850 912-8
Billing Date Feb 16, 2012
Web Site att.com

2012

Monthly Statement

Bill-At-A-Glance

Previous Bill	41.13
Payment	11.23CR
Adjustments	29.90CR
Balance	.00
Current Charges	41.07

Total Amount Due \$41.07

Amount Due in Full by Mar 16, 2012

Billing Summary

Billing Questions? Visit att.com/billing

Plans and Services
1 800 288-2020

AT&T Internet Services
1 877 722-3755

Total Current Charges

26.12

14.95

41.07

✓
3/4/2012

AT&T Benefits

- Save even more with our lowest bundle prices ever for AT&T U-verse! Now's your chance to experience all the excitement of AT&T U-verse TV, Internet and digital home phone, plus get a great deal! Choose the bundle that works for you at a price you'll love. Geographic and service restrictions apply. Call 1.800.983.4431 or go online at att.com/ChoiceTV today.

Detail of Payments and Adjustments

Item No.	Date	Description	Adjustments	Payments
1.	2-14	Payment		11.23
2.	2-16	Adj for - AT&T Internet Services	29.90CR	
Totals			29.90CR	11.23

Plans and Services

Monthly Service - Feb 16 thru Mar 15

3.	Residence Flat Rate Serv	19.95
	Line Sharing Basis	
4.	Caller ID Selective Blocking	.00
5.	900/976 Blocking	.00
Total Monthly Service		19.95

Surcharges and Other Fees

6.	Federal Subscriber Line Charge	4.40
7.	Rate Surcharge	.26CR
8.	State Regulatory Fee	.04
9.	Federal Universal Service Fee	.78
Total Surcharges and Other Fees		4.96

Government Fees and Taxes

10.	CA High Cost Fund B and CA Advanced Svc Fund	.09
11.	California Teleconnect Fund Surcharge	.02
12.	Universal Lifeline Telephone Service Surcharge	.23
13.	CA Relay Service and Communications Devices Fund	.04
14.	9-1-1 Emergency System	.10
15.	Federal	.73
Total Government Fees and Taxes		1.21

Total Plans and Services

26.12

News You Can Use Summary

- PREVENT DISCONNECT
- ELECTRONIC PAYMENTS
- PAYMENT OPTIONS
- SUPPORT MADE EASY!
- CARRIER INFORMATION
- MOVING SOON?
- AT&T UNIVERSAL CARD

See "News You Can Use" for additional information



GULSEN A MALONEY
22333 CUPERTINO RD
CUPERTINO CA 95014 - 1079

ATTACHMENT C

Page 1 of 3
Account Number 408 252-5858-912 8
Billing Date Feb 16, 2013
Web Site att.com

2013

Monthly Statement

Bill-At-A-Glance

Previous Bill	30.65
Payment Received 2-15 Thank you!	30.65CR
Adjustments	.00
Balance	.00
Current Charges	44.37

Total Amount Due \$44.37

Amount Due in Full by Mar 16, 2013

Billing Summary

Billing Questions? Visit att.com/billing

Plans and Services
1 800 288-2020

AT&T Internet Services
1 877 722-3755

Total Current Charges

29.42

14.95

44.37

AT&T Benefits

- Introducing more ways to save on better entertainment! Let's celebrate the New Year with great new ways to save on AT&T U-verse TV. Create a custom bundle, plus get a FREE Total Home DVR®, FREE content online and FREE Standard Installation with qualifying TV packages and more! Start the New Year saving when you switch to U-verse TV. Call 1.866.789.1853 or visit att.com/uverse0748 today.

Plans and Services

Monthly Service - Feb 16 thru Mar 15

1. Residence Flat Rate Serv Line Sharing Basis	23.00
2. Caller ID Selective Blocking	.00
3. 900/976 Blocking	.00
Total Monthly Service	23.00

Surcharges and Other Fees

4. Federal Subscriber Line Charge	4.40
5. Rate Surcharge	.30CR
6. State Regulatory Fee	.04
7. Federal Universal Service Fee	.70
Total Surcharges and Other Fees	4.84

Government Fees and Taxes

8. CA High Cost Fund Surcharge - A:	.09
9. CA High Cost Fund-B and CA Advanced Svc Fund	.10
10. California Teleconnect Fund Surcharge	.13
11. Universal Lifeline Telephone Service Surcharge	.26
12. CA Relay Service and Communications Devices Fund	.05
13. 9-1-1 Emergency System	.12
14. Federal	.83
Total Government Fees and Taxes	1.58

Total Plans and Services

29.42

AT&T Internet Services

Important Information

Notice: Charges appearing in this section are for services provided by AT&T Corp. and/or by AT&T California.

News You Can Use Summary

- PREVENT DISCONNECT
- ELECTRONIC PAYMENTS
- THIRD-PARTY BLOCKING
- CUSTOMER SUPPORT
- CARRIER INFORMATION
- MOVING SOON?
- PAYMENT OPTIONS

See "News You Can Use" for additional information

GULSEN A MALONEY
22333 CUPERTINO RD
CUPERTINO CA 95014 - 1079

Page 1 of 3
Account Number 408 252-5858 912 8
Billing Date Feb 16, 2014



ATTACHMENT D

Web Site att.com

2014

Monthly Statement

Bill-At-A-Glance

Previous Bill	45.89
Payment Received 2-13 Thank you!	45.89CR
Adjustments	.00
Balance	.00
Current Charges	45.32

Total Amount Due \$45.32

Amount Due in Full by Mar 16, 2014

AT&T Benefits

GET AT&T U-VERSE!

Call 877.269.4206. Now is the time to save on U-verse TV, Internet and Digital Home Phone. Order today at a great bundle price and save. Get a Total Home DVR included for life with most plans! Call 877.269.4206 or go online at att.com/uverse0236.

Plans and Services

Monthly Service - Feb 16 thru Mar 15

1. Residence Flat Rate Serv	24.00
Line Sharing Basis	
2. Caller ID Selective Blocking	.00
3. 900/976 Blocking	.00
Total Monthly Service	24.00

Surcharges and Other Fees

4. Federal Subscriber Line Charge	4.40
5. Rate Surcharge	.31CR
6. State Regulatory Fee	.04
7. Federal Universal Service Fee	.72
Total Surcharges and Other Fees	4.85

Government Fees and Taxes

8. CA High Cost Fund Surcharge - A:	.04
9. CA High Cost Fund-B and CA Advanced Svc Fund	.04
10. California Teleconnect Fund Surcharge	.14
11. Universal Lifeline Telephone Service Surcharge	.27
12. CA Relay Service and Communications Devices Fund	.05
13. 9-1-1 Emergency System	.12
14. Federal	.86
Total Government Fees and Taxes	1.52

Total Plans and Services 30.37

AT&T Internet Services

Important Information

Notice: Charges appearing in this section are for services provided by AT&T Corp. and/or by AT&T California.

Billing Summary

Billing Questions? Visit att.com/billing

Plans and Services	30.37
1 800 288-2020	
AT&T Internet Services	14.95
1 877 722-3755	
Total Current Charges	45.32

News You Can Use Summary

- PREVENT DISCONNECT
- ELECTRONIC PAYMENTS
- THIRD-PARTY BLOCKING
- MAKING PAYMENTS EASY
- CARRIER INFORMATION
- MOVING SOON?
- PAYMENT OPTIONS

See "News You Can Use" for additional information

✓
3/6/2014

gulsenmaloney@hotmail.com

ATTACHMENT E

From: ATT Social Care <attcustomercare@att.att-mail.com>
Sent: Saturday, April 11, 2015 3:38 PM
To: gulsenmaloney@hotmail.com
Subject: Incorrect and Unfinished Workorders 500E0JtaQQ-Gulse

*****Please do not modify the Email Subject.*****

Thank you for speaking with me today. Per our conversation I've issued a credit of \$125 to your account. Your new balance is \$28.25. I'm adding local toll back on your account to make calls to your doctor. I will check on DSL and contact you back on tuesday 04/14/15. ✱

Thanks
Emeric
AT&T Social Media Manager
Check out our support center:<http://support.att.com>
My hours T-F 0130-10P, Sat 430-11P CST

gulsenmaloney@hotmail.com

ATTACHMENT #

From: ATT Social Care <attcustomercare@att.att-mail.com>
Sent: Tuesday, May 12, 2015 2:36 PM
To: gulsenmaloney@hotmail.com
Subject: RE: Incorrect and Unfinished Workorders 500E0JtaQQ-Gulse

*****Please do not modify the Email Subject.*****

1. I will have our CARE group reach out to you to assist with troubleshooting the phone lights.
2. You should be able to make calls to toll free 800 numbers. I can also have the CARE group look into this.

As your account stands you can only make calls up to 18 miles from your servicing central office. I see that you don't have a local toll provider. This will prevent you from calling anyone over the 18 mile barrier. Unfortunately they weren't able to add back the grandfather local toll calling plan that you had previously. I've double checked with our back office group and they advised that we have to go with the current options. If AT&T is your long distance company the minimum plan we have cost \$1 a month and your billed at \$.18 a minute. This was the exact plan that was recently removed from your account when you spoke with the agent on 05/08/15. ★ ★

If we have to call, can we have a contact number with a good time window that your available?

Thanks
Emeric
AT&T Social Media Manager
Check out our support center:<http://support.att.com>
My hours T-F 0130-10P, Sat 430-11P CST



at&t

att.com

GULSEN MALONEY
22333 CUPERTINO RD
CUPERTINO CA 95014 - 1079

Page 3 of 4
Account Number 408 252-5858 577 9
Billing Date May 28, 2015

ATTACHMENT G

See back for
is not working Public Utilities Commission

AT&T Long Distance

Service Charges - Continued

Total Service Charges

Call Charges - Apr 15th thru May 14th Calls for 408-252-5858

Domestic Calls

No.	Date	Time	Place Called	Number	Code	Min	
1.	4-16	219P	GILROY CA	408 665-4400	D	1:00	.20
2.	4-21	1056A	PALO ALTO CA	850 862-1384	D	7:00	1.40
Subtotal Domestic Calls for 408-252-5858							1.60

Total Domestic Calls for 408-252-5858

Total Calls for 408-252-5858

Total Call Charges

Surcharges and Other Fees

Description

3. Federal Universal Service Fee	.01CR
Total Surcharges and Other Fees	.01CR

Government Fees and Taxes

Description

4. CA High Cost Fund A	.01
5. CA High Cost Fund B and CA Advanced Svc Fund	.01
6. CA Relay Service & Comm. Devices Fund	.01
7. CA State Emergency Telephone Users (911) Tax	.01
8. CA Teleconnect Fund (0.93%)	.01
9. CA Universal Lifeline Tel. Service Fund	.04
10. CA Local Utility Users Tax	.04
Total Government Fees and Taxes	.13

Key to Calling Codes

D Day 2 Other

Total Other AT&T Long Distance 1.52

News You Can Use

PREVENT DISCONNECT

All charges must be paid each month to keep your account current. However, "basic service" and its applicable taxes and surcharges MUST be paid to avoid disconnection. Currently, for this account that amount is \$18.00. Failure to pay non-basic charges may result in other collection activities, including restriction of toll calls.

CARRIER INFORMATION

Our records show that you have selected Cust Request No Carrier or a company that resells their services as your primary local toll carrier and that you have chosen not to select a long distance carrier. Please contact us if this does not agree with your records.

ELECTRONIC PAYMENTS

When making a secure electronic bill payment from your bank account over the phone, you will need to provide sufficient information to authenticate yourself as the account owner. By providing this information, you are authorizing AT&T and your financial institution to process a one-time debit from your bank account for payment of your bill. Other bill payment options are available at www.att.com.

THIRD-PARTY BLOCKING

AT&T sometimes bills charges on behalf of other companies. AT&T offers third-party bill blocking to prevent billing of certain "enhanced" service charges, at no charge. Third-party bill blocking does not affect billing for long-distance, directory assistance or operator service. It also does not affect billing by AT&T affiliates or members of AT&T marketing alliances. To order third-party bill blocking, please call us at the toll free number on your bill. For additional information regarding third-party charges, please visit us online at att.net/smartcontrols-Cramming

PAYMENT OPTIONS

Use the myAT&T App* on your smartphone, visit att.com/bill to pay your AT&T bills electronically, or use our Interactive Voice Response system FREE of charge anytime day or night by calling 800.288.2020. Payments made with an AT&T representative will be assessed a \$5.00 convenience fee. *Compatible device and account registration required. Messaging and data charges may apply for download and usage.

MOVING SOON?

Stay connected with AT&T. Please visit us online at att.com/move or call 800.MOVE.ATT (800.668.3285). Moves of Lifeline service must be placed via phone.

MAKING PAYMENTS EASY

AT&T offers several convenient ways to pay your bill. You can pay online at att.com, use the myAT&T app on your smartphone, or visit your local AT&T Mobility retail store. Try it today!

ONLINE BILL SUPPORT

Register at att.com/managedmyaccount to view or pay your bill, manage your account online, sign up for paperless billing, or enroll in AutoPay. It's quick, easy, and available 24x7!

CUSTOMER SUPPORT

AT&T speaks many languages: English 800.288.2020; Spanish 800.970.5855; Russian 888.882.4839; Polish 800.417.1588; Cantonese 800.281.2288; Mandarin 888.333.2628; Korean 800.300.6657; Vietnamese 800.300.5315; Japanese 800.573.7573; Tagalog 800.956.8084. All other languages 800.203.8800. Disabilities and Aging 800.772.3140.

EASY ONLINE SUPPORT

Online support is quick, easy and available 24x7! Have questions about your AT&T products, features or services? Visit att.com/support for self help tools, FAQs and troubleshooting tips. Check out att.com/repair to view our simplified online repair experience or visit att.com/bill to find answers to your billing questions.

gulsenmaloney@hotmail.com

ATTACHMENT H

From: BANKS, GRETA L <gb2682@att.com>
Sent: Thursday, April 14, 2016 2:40 PM
To: Gulsen Maloney
Cc: MacDonald, Katherine
Subject: RE: Post-Mediation Follow-up RE: (ECP) C.16-01-005

Good afternoon Mrs. Maloney,

Provided below are local toll and long distance calling options available through AT&T.

AT&T California Local Toll Service

- No monthly calling plan involved
- No minimum usage charges
- Local toll calls would be billed at a flat rate of \$0.45 per minute for day and peak calls; \$0.40 per minute for evening and off-peak calls

Day/Peak hours: 8:00 a.m. – 5:00 p.m., Monday through Friday
Evening/Off-Peak: 5:00 p.m. – 11:00 p.m., Monday through Friday
Night/Weekend/Off-Peak: 11:00 p.m. – 8:00 a.m., Monday through Friday and all day Saturday and Sunday

AT&T Long Distance Local Toll and Domestic Long Distance Service

Option 1: No calling plan

- No monthly recurring charge
- \$3.99 minimum usage charge applies
- Toll calls billed at \$0.42 per minute

Option 2: AT&T ONE RATE Nationwide Calling 1

- \$1.00 monthly recurring charge
- Toll calls billed at \$0.20 per minute

Option 3: AT&T ONE RATE Nationwide Advantage

- \$5.00 monthly recurring charge
- Toll calls billed at \$0.07 per minute

Option 4: AT&T Unlimited Nationwide Calling ONE

- Requires that AT&T Long Distance be selected as both the local toll and long distance carrier
- \$25.00 monthly recurring charge
- Unlimited domestic calling
- No per minute calling charge

Respectfully,

Greta L. Banks
Area Manager - Regulatory Relations